

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ANTHONY LEE PATMON,

8:16CV14

Plaintiff,

v.

**MEMORANDUM  
AND ORDER**

STATE OF NEBRASKA,  
WASHINGTON COUNTY JAIL,  
NE, DOUG PETERSON, CAROL  
HANNEMAN, TAMMY BADER,  
and MIKE ROBINSON,

Defendants.

This matter is before the court on Plaintiff Anthony Lee Patmon's Motion for Extension of Time, Motion for Summary Judgment, and Motion for Status. (Filing Nos. [8](#), [9](#), and [10](#).) Patmon's Motion for Extension of Time (Filing No. [8](#)) is difficult to decipher, but when liberally construed, it appears he is seeking an extension of time in which to pay his initial partial filing fee. The court will grant his request.

Patmon's Motion for Summary Judgment (Filing No. [9](#)) will be denied as premature because his Complaint has not been served on any of the named defendants. On February 4, 2016, the court ordered Patmon to pay an initial partial filing fee in the amount of \$6.09. To date, Patmon has not paid this initial partial filing fee. This case will not proceed any further until he does so.

In addition, following payment of the initial partial filing fee, and before service of process may occur, the court will conduct an initial review of Plaintiff's claims to determine whether summary dismissal is appropriate under [28 U.S.C. § 1915\(e\)\(2\)](#) (requiring the court to dismiss any action filed in forma pauperis if it is frivolous or malicious, fails to state a claim on which relief may be granted, or seeks monetary relief against a defendant who is immune from such relief).

IT IS THEREFORE ORDERED that:

1. Patmon's Motion for Extension of Time (Filing No. [8](#)) is granted. Patmon must pay an initial partial filing fee of \$6.09 by April 4, 2016.
2. Patmon's Motion for Summary Judgment (Filing No. [9](#)) is denied without prejudice.
3. The clerk of the court is directed to term the motion event appearing at Filing Number 10, which is correspondence from Patmon seeking information as to the status of this case.

DATED this 26<sup>th</sup> day of February, 2016.

BY THE COURT:

*s/ Richard G. Kopf*

Senior United States District Judge